| 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 | BOIES, SCHILLER & FLEXNER LLP RICHARD J. POCKER (NV Bar No. 3568) 300 South Fourth Street, Suite 800 Las Vegas, NV 89101 Telephone: (702) 382-7300 Facsimile: (702) 382-2755 rpocker@bsfllp.com BOIES, SCHILLER & FLEXNER LLP WILLIAM ISAACSON (pro hac vice) KAREN DUNN (pro hac vice) 5301 Wisconsin Ave, NW Washington, DC 20015 Telephone: (202) 237-2727 Facsimile: (202) 237-6131 wisaacson@bsfllp.com kdunn@bsfllp.com BOIES, SCHILLER & FLEXNER LLP STEVEN C. HOLTZMAN (pro hac vice) KIERAN P. RINGGENBERG (pro hac vice) 1999 Harrison Street, Suite 900 Oakland, CA 94612 Telephone: (510) 874-1000 Facsimile: (510) 874-1460 sholtzman@bsfllp.com kringgenberg@bsfllp.com Attorneys for Oracle USA, Inc., Oracle America, Inc., and Oracle International Corporation | MORGAN, LEWIS & BOCKIUS, LLP THOMAS S. HIXSON (pro hac vice) KRISTEN A. PALUMBO (pro hac vice) Three Embarcadero Center San Francisco, CA 94111-4067 Telephone: 415.393.2000 Facsimile: 415.393.2286 thomas.hixson@bingham.com kristen.palumbo@bingham.com DORIAN DALEY (pro hac vice) DEBORAH K. MILLER (pro hac vice) JAMES C. MAROULIS (pro hac vice) ORACLE CORPORATION 500 Oracle Parkway, M/S 50p7 Redwood City, CA 94070 Telephone: 650.506.4846 Facsimile: 650.506.7114 dorian.daley@oracle.com deborah.miller@oracle.com jim.maroulis@oracle.com |
|---|---|--|
| 17 | | |
| 18 | UNITED STATES I DISTRICT (| |
| 19 | DISTRICT | TILEVADA |
| | | - C N 2.10 0010C I DII DAI |
| 20 | ORACLE USA, INC., a Colorado corporation; | Case No. 2:10-cv-00106-LRH-PAL |
| 21 | ORACLE AMERICA, INC. a Delaware | APPENDIX OF EXHIBITS IN SUPPORT OF PLAINTIFFS |
| 22 | corporation; and ORACLE INTERNATIONAL CORPORATION, a California corporation, | ORACLE'S MOTION TO EXCLUDE |
| 23 | Plaintiffs, | TESTIMONY OF DEFENDANTS' EXPERTS SCOTT HAMPTON, |
| 24 | V. | BROOKS HILLIARD, DAVID KLAUSNER, AND JAMES BENGE |
| 25 | RIMINI STREET, INC., a Nevada corporation; SETH RAVIN, an individual, | [REDACTED] |
| 26 | Defendants. | VOLUME V OF V (EXS. 12A-20) |
| 27 | | Judge: Hon. Larry R. Hicks |
| 20 | | <u> </u> |

Case No. 2:10-cv-00106-LRH-PAL

28

APPENDIX OF EXHIBITS

- 2 Pursuant to Local Rule 10-3, Plaintiffs Oracle USA, Inc., Oracle America, Inc.,
- 3 and Oracle International Corp. (collectively, "Oracle") submit this Appendix of Exhibits in
- 4 Support of Oracle's Motion to Exclude Testimony of Defendants' Experts Scott Hampton,
- 5 Brooks Hilliard, David Klausner, and James Benge.

1

6

| 7 | Exhibit | Description | Date | Volume |
|----------|---------|---|-----------|--------|
| 8 | 1 | Email from Beth Lester to Dennis Chiu, which has been marked as PTX 2152. | 4/6/2007 | I |
| 9 | 2 | Email from Beth Lester, to Seth Ravin, which has been marked as PTX 18. | 4/11/2007 | I |
| 10 11 | 3 | Email from Dennis Chiu to George Lester copying Seth Ravin and Michael Davichick, which has been marked as PTX 20. | 5/31/2007 | Ι |
| 12 | 4 | Email from Krista Williams to Jeff Allen, which has been marked as PTX 50. | | I |
| 13 | 5 | Weekly Status Report for Jeff Allen from 2/8/2009 to 2/14/2009, which has been marked as PTX 51. | 2/10/2009 | I |
| 14 | 6 | Email from Brian Slepko to Jeff Allen, Susan Tahtaras and Dennis Chiu, which has been marked as PTX 52. | 2/14/2009 | I |
| 15 16 | 7 | Email from Ed Freeman to Jim Benge, copying Brenda Davenport, Dennis Chiu, Kevin Maddock, Krista Williams, Sara Lu, and Tim Conley, which has been marked as PTX 60. | 2/14/2009 | I |
| 17 | 8 | Expert Report of Elizabeth A. Dean. | 10/1/2009 | Ι |
| | 9 | Expert Report of Christian B. Hicks. | 1/17/2012 | II |
| 18 | 10 | Expert Report of Brooks L. Hilliard. | 2/6/2012 | II |
| 19 | 10A | Expert Report of Brooks L. Hilliard with portions subject to Motion to Exclude highlighted in grey. | 2/6/2012 | II |
| 20 | 11 | Expert Report of David Klausner. | 3/30/2012 | III |
| 20 | 11A | Expert Report of David Klausner with portions subject to Motion to Exclude highlighted in grey. | 3/30/2012 | III |
| 21 | 12 | Expert Report of Scott D. Hampton. | 3/30/2012 | IV |
| 22 | 12A | Expert Report of Scott D. Hampton with portions subject to Motion to Exclude highlighted in grey. | 3/30/2012 | V |
| 23 | 13 | Rebuttal Report to the Expert Report of David Klausner by Christian B. Hicks. | 3/30/2012 | V |
| 24 | 14 | Excerpts from the deposition of Scott D. Hampton, taken on May 25, 2012. | 5/16/2012 | V |
| 25 | 15 | Excerpts from the deposition of Brooks L. Hilliard, taken on June 5, 2012. | 5/25/2012 | V |
| 26 | 16 | Excerpts from the deposition of David Klausner, taken on June 15, 2012. | 6/5/2012 | V |
| 27 28 | 17 | Excerpts from the deposition of Jim Benge, taken on June 21, 2012. | 6/15/2015 | V |

| Exhibit | Description | Date | Volume |
|---------|--|-----------|--------|
| 18 | Business Automation Associates Inc. website at http://www.bizauto.com , downloaded on July 21, 2015 | 6/21/2015 | V |
| 19 | Oracle Customer Connection Terms of Use, which has been marked as PTX 19. | 7/21/2015 | V |
| 20 | Instant message between c_limburg and kpedn, which has been marked as PTX 48. | | V |

DATED: July 22, 2015

BOIES SCHILLER & FLEXNER LLP

By: /s/ Kieran P. Ringgenberg

Kieran P. Ringgenberg Attorneys for Plaintiffs

Oracle USA, Inc., Oracle America, Inc., and Oracle International Corp.

| 1 | <u>CERTIFICATE OF SERVICE</u> | | |
|----|---|--|--|
| 2 | I hereby certify that on the 22nd day of July, 2015, I electronically transmitted the | | |
| 3 | foregoing APPENDIX OF EXHIBITS IN SUPPORT OF PLAINTIFFS ORACLE'S | | |
| 4 | MOTION TO EXCLUDE TESTIMONY OF DEFENDANTS' EXPERTS SCOTT | | |
| 5 | HAMPTON, BROOKS HILLIARD, DAVID KLAUSNER, AND JAMES BENGE, | | |
| 6 | VOLUME V OF V (EXS. 12A-20) to the Clerk's Office using the CM/ECF System for filing | | |
| 7 | and transmittal of a Notice of Electronic Filing to all counsel in this matter; all counsel being | | |
| 8 | registered to receive Electronic Filing. | | |
| 9 | | | |
| 10 | /s/ Catherine Duong | | |
| 11 | An employee of Boies, Schiller & Flexner LLP | | |
| 12 | | | |
| 13 | | | |
| 14 | | | |
| 15 | | | |
| 16 | | | |
| 17 | | | |
| 18 | | | |
| 19 | | | |
| 20 | | | |
| 21 | | | |
| 22 | | | |
| 23 | | | |
| 24 | | | |
| 25 | | | |
| 26 | | | |
| 27 | | | |
| 28 | Case No. 2:10-cv-00106-LRH-PAL | | |